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The right of withdrawal from Religious Education in England: School leaders' beliefs,
experiences and understandings of policy and practice.

David Lundie* and Cathal O'Siochru

Correspondence: lundied@hope.ac.uk

Dr David Lundie is Senior Lecturer in the Philosophy of Education at Liverpool Hope
University.

Dr Cathal O'Siochru is Senior Lecturer in the Psychology of Education and Deputy Head of
Department at Liverpool Hope University.

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Abstract:

The right of parents to withdraw children from RE was conceived as a protection for the rights of religious minorities at a time when Religious Instruction in the community school was of a Christian confessional nature, this paper questions whether this provision is still coherent or necessary for contemporary multi-faith RE. Based on a survey of 450 headteachers and RE coordinators. 70.5% of participants believe that the right to withdraw is no longer required. Participants' experiences of right of withdrawal requests, such as the reasons given by parents, were correlated to their views on the right to withdraw. Exploring the roots of that belief in more detail we found that the majority of participants had experienced withdrawal requests for various reasons, and a sizeable minority (41.2%) had experienced requests to withdraw selectively from parts of RE. We also found considerable confusion regarding the legal status of withdrawal requests.

Keywords:

Withdrawal from Religious Education; Freedom of Conscience; Education Law; Religion and Law; Crosstabulation

The Legal Settlement

In April 2018, the National Education Union's conference heard of an increasing trend among parents to withdraw children selectively from learning about, or visiting the places of worship, of one particular religion, for reasons related to prejudice. The union resolved to work with the National Association of Teachers of Religious Education to determine the

extent of this trend, and to lobby government to prevent it (ATL, 2018). The issue, and subsequent research which suggested as many as 38% of schools had experienced this phenomenon (Lundie, 2018, p. 1) attracted significant public attention (Smalley, 2018: Turner, 2018) with Charles Clarke and Linda Woodhead (2018, p. 27) in their policy report recommending the abolition of the right to withdraw. The Commission on Religious Education (2018) stopped short of calling for abolition, citing stringent requirements of religious neutrality in European law, but called on government to clarify the legal situation regarding the selective use of the right to withdraw. The subsequent clarification offered (NATRE/NAHT 2018) frames this right in terms of parental choice, while in its historical development (Louden 2004) it may be more rightly and narrowly framed in terms of conscientious objection.

The current legal settlement on the parental right to withdraw from Religious Education is taken from the 1944 Education Act, which states (Sec.25.4):

If the parent of any pupil in attendance at any county school or any voluntary school requests that he be wholly or partly excused from attendance at religious worship in the school, or from attendance at religious instruction in the school, or from attendance at both religious worship and religious instruction in the school, then, until the request is withdrawn, the pupil shall be excused from such attendance accordingly.

At the time of its writing, the 1944 Act presumed a Christian, confessional 'Religious Instruction'. In this light the right of withdrawal, in line with the 1870 Elementary Education Act and other preceding legislation, was conceived as protecting the freedom of conscience of religious minorities, or those without a religious faith. In so doing, the parental right to withdraw conforms with Article 18 of the UN Covenant on Civil and Political Rights; this provides for parents to ensure the religious education of their children is in conformity with their own free exercise of the right to freedom of conscience and religion.

The changes which Religious Education in England has undergone in the intervening years will be familiar to readers of this journal. According to many authors, the wide-ranging societal and pedagogical changes of the 1970s saw the rapid reframing of 'Religious Education', no longer 'Religious Instruction', as a non-confessional 'open' subject (Barnes, 2002, Hayward, 2006). In the 1980s, Michael Grimmitt provided a language which remained, and remains, present in RE's professional imaginary; while Christian confessional 'learning religion' may no longer be an appropriate aim for the community school, Grimmitt argues, the aims of 'learning about religions' and a personal existential process of 'learning from religion' remain valid goals for a non-directive, non-confessional RE (Grimmitt, 1987), goals which influenced the creation of the first 'model syllabuses' (Lundie, 2012). While some authors (c.f. Thompson 2007) have sought to remind the sector that the law still provides for RE to be 'in the main Christian' (Education Reform Act 1988), in practice, and in case law, this is no longer the case.

The subject of considerable controversy during parliamentary debate (Copley, 2008, p. 139, Thompson, 2001) the Education Reform Act 1988 continues to provide the legal context for the practice of RE in England, requiring local agreed syllabus conferences to take account of the other main religious traditions represented in the UK. Non-religious and humanist perspectives first appeared on the Bath Agreed Syllabus in 1970, though it took until 2015 for a High Court ruling to clarify that Religious Education must also take account of non-religious worldviews. The recommendation to reframe the subject as "Religions and Worldviews" (Commission on Religious Education, 2018), a term which includes religions, institutional metanarratives and more personal processes of meaning-making (van der Kooij, de Ruyter, &

Miedema, 2017) represents a further recognition of the non-directive aims of contemporary RE in England. Given the extent of these changes, the purpose of a right to withdraw, as it applied to the current conception of RE, needs to be reconsidered.

Writing in a similar context in Scotland, Nixon's study of 51 schools found a majority of school leaders in favour of discontinuing the right to withdraw, framing the conscience clause as facilitating "quarantining children from the reality of modern pluralism" (2018, p. 9). This paper reports the results of the first survey of school leaders in England into the practice, purpose and understanding of the parental right to withdraw from RE. Drawing on this data, it also engages the theoretical question of whether there is any longer a justification on grounds of parental freedom of conscience to maintain the right to withdraw.

Arguments for and against the Right to Withdraw

In a recent policy paper, Linda Woodhead and Charles Clarke argue that, if a national entitlement to non-directive teaching about religions, beliefs and values can be secured, the right of parents to withdraw their children from RE should be abolished (Clarke & Woodhead, 2018, p. 27). The National Association of Headteachers, National Association of Teachers of Religious Education, National Education Union and Church of England have all called for similar change.

In contrast, one articulation of the legitimate concerns some conservative religious parents may raise about multi-faith RE as potentially justifying the continued need for a right to withdraw, is made by Philip Barnes; he traces the epistemic underpinning of much

contemporary RE practice to the phenomenological approach of Ninian Smart and its focus on the subjectivity of private religious experience (Barnes, 2011). This experientialism, Barnes argues, leads some theologians to a belief in the essential unity of all religions. What Barnes terms a ‘post-Enlightenment Liberal Protestant’ articulation of this argument, takes the following form:

- 1) Religious beliefs are conditioned by culture
- 2) At least one religion is true
- 3) God is a loving God. Therefore
- 4) Each religion reveals the same God (Barnes, 2009).

On this analysis, multi-faith RE makes contentious theological claims and advances these for belief, rendering it just as directive and confessional as the overt Christian religious instruction it supplanted. While internally coherent, and no doubt an ontological and soteriological position adopted by many of the Liberal Christian theologians Barnes wishes to cite, we contend that this is an inaccurate portrayal of non-confessional RE for two reasons. Firstly, the relationship between personal and institutional worldviews (van der Kooij, de Ruyter, & Miedema, 2017) in contemporary religious studies moves it decisively beyond the experientialism of Barnes and the phenomenologists. Secondly, the presence of non-religious and non-theistic worldviews in multi-faith RE renders this an inaccurate portrayal; because the subject makes no claim to premise (2) and (3) above, it does not follow that its commitment to explore sympathetically the cultural conditions of individuals’ experiences of diverse faiths entails an ontological commitment to the unity or salvific efficacy of all faiths.

A related concern is articulated by Marius Felderhof (2007) who argues that, by adopting the methodological agnosticism of Smart’s phenomenology, which denies the

possibility of verifying the external reality of the phenomenon as experienced by the believer, multi-faith RE commits itself to always studying religion from the outside, whereas for the believer the reality of the phenomenon is absolute and immediate. This approach, which Felderhof characterises as ‘methodological atheism’, is insufficient in that it can never present any religion or worldview as worthy of the commitment ascribed to it by the believer. Felderhof’s weaker, epistemic claim stops short of ascribing, as Barnes does, an ontological or soteriological directive stance to contemporary RE, instead interpreting it as espousing an epistemic agnosticism incapable of accessing or accepting any meaningful claim to religious knowledge. What both Barnes and Felderhof’s critiques share is a concern that multi-faith RE is every bit as directive and confessional as the Christian religious instruction it supplanted. Thompson puts this most strongly, arguing that contemporary RE “induct[s] pupils into the rules of the post-modern game, encouraging them to construct their own realities, on the basis of unrestrained freedom, desire, will and preference” (2004, p. 67). Within such a context, might it be entirely legitimate for conservative religious parents to withdraw their children from teaching about other religions, in whole or in part? In denying, as we have, that multi-faith RE makes any claims as to the truth of all religions, are we necessarily accepting Felderhof’s epistemic concern that such approaches to RE are incapable of asserting the truth of any?

One potential response to many of the same concerns reflected in Felderhof’s methodological and epistemic critique can be found in the work of Michael Hand (2006). On the basis that religious propositions are not a distinct category from material and mental propositions, Hand argues that a non-confessional religious education – that is, an education about religions distinct from imparting beliefs about the truth or falsity of religious propositions – is logically possible (Hand, 2006). This is not, as Felderhof contends, an

education opposed to religious experience, but rather a common foundation which is neutral towards religious experience. On this account, it is possible to speak of the ‘correctness’ of propositions, true to the interpretive traditions within a religion, without making any claim as to their ‘truth’ in the ontological sense (Tillson, 2018). What must be accepted, however, in order to accede to this account, is that RE takes its epistemic stand on the ‘outside’ of religious experience.

In attempting to answer these critiques, we wish to pre-emptively draw upon a few illustrative examples from our data to conceptualise four categories of parental objection to non-confessional multi-faith RE:

Figure 1: Conceptual model of reasons for parental requests to withdraw from RE

This conceptual map may be organised along two axes: the first two examples relate to the exclusion of content, and the latter two to the perceived misrepresentation of content. We wish to argue that the right to withdraw on the grounds that the curriculum does not cover particular content, or does not cover it in the order desired by parents, is spurious so long as parents are free to supplement their children’s religious education outside of the school, as many do. By contrast, right to withdraw on the grounds of misrepresentation may have merit, if we were to accept Barnes’ directive reading of the epistemic neutrality espoused by Hand and Tillson. If contemporary RE is indeed a teaching ‘for’ neutrality towards religions and their truth claims, then this may indeed justify a continued conscientious objection, as this would represent a challenge to parents’ rights to educate their children in line with their own beliefs. The assertion that contemporary RE is not an education ‘for’ agnosticism, but an education which takes seriously, but non-directively, religious truth claims, is a subtle but

important point, which underlies the propensity of school leaders to ascribe parents' motivations for withdrawal to a misunderstanding about the aims and purposes of RE.

The CoRE report cites the case of *Zengin v Turkey* (2007), in which the European Court of Human Rights ruled in favour of parents of the Alevi faith because Alevi interpretations of Islam were not covered in the syllabus (2018, p. 66); this case, importantly, falls into the latter category, as the Turkish religion curriculum took a directive stance toward teaching about interpretation within Islam (though not confessional teaching for faith), foregrounding other interpretations, rather than merely occluding Alevi and other minority faith content from a non-directive exploration. In *Folgerø v. Norway* (2007) a similar attempt at impartiality was also rejected, although it must be noted that the Norwegian 'Christianity, Religion and Philosophy' curriculum included both religious activities, such as prayer and hymn singing, as well as lesson content. European case-law addresses a range of orientations toward religion in public education, including more confessional modes in both the North (Armstrong, 2012, Richardson et al. 2013) and Republic of Ireland (Mawhinney, 2015) in which the churches hold a significant stake in schooling, and *laïque* strong secular approaches which view religious tolerance as a purely civic matter (Zucca 2011). In the cases noted above, however, philosophical and religious curricula in state institutions remain legitimate, because any attempt to separate educational institutions from all normative instruction runs the risk of making all education impracticable (Relaño, 2010).

In light of such cases and drawing on the recommendations of Dinham and Shaw, we argue that responding to this concern requires a reconfiguration of the subject away from the six 'big beasts' (Brine, 2015) of institutional religions, towards the "exploration of religion,

belief and non-belief as a category; the changing religion and belief landscape and its impacts on contemporary society... contemporary issues... [and] exploration of religion and belief as lived identity as well as tradition” (Dinham & Shaw, 2015, p. 28). Should such a reconfiguration take place though, we would argue that this would negate the need for a right to withdraw on the grounds of misrepresentation as well.

Understanding the Right to Withdraw in Practice - Methodology

In response to the public debate raised by the ATL, NAHT and Church of England recommendations regarding the right of withdrawal, a survey was designed to gather closed-response data on the prevalence of some of the issues reported by professionals. The first section of the questionnaire comprised three groups of four questions, each focusing on one of three different forms of parental request for withdrawal: complete withdrawal from RE, consonant with the intention of the 1944 Act; selective withdrawal from parts of RE, as a mounting body of professional experience suggested was becoming common (Whittaker, 2018); and withdrawal from a National Curriculum subject on religious grounds (Muslim Council of Britain, 2007). For each group, the same set of four questions were asked:

- a) Whether the participant had experienced a request of this kind (yes/no)
- b) The participant’s response or likely response to that kind of withdrawal, with five multiple-choice responses plus an open text option (deny the request, invite parents to discuss the request, accept the request, refer the request upwards for advice [to Local Authority/Diocese/Academy Trust], refer the case to safeguarding lead as the child may be at risk).
- c) The participant’s beliefs as to the reasons for parents’ requests for withdrawal, with five multiple-choice responses plus an open text option, two of which (*) were added

in later in the survey, in response to repeated use of the open text option (Parents' conservative religious beliefs, parents' non-religious or secular beliefs, a misunderstanding about the aims of RE, racist or Islamophobic beliefs*, desire to access other subject or SEN support during RE time*).

- d) The participant's beliefs as to the legal status of requests for withdrawal was assessed using multiple-choice options, although the options varied in relation to each of the three withdrawal types.

Following an email to 22,694 school leaders and RE co-ordinators across England, a sample of 450 responses was received. The sample included a wide geographical spread (23% from the North of England, 26% from the Midlands, 30% from the South of England and 20% from Greater London), broadly reflective of the faith and governance character of England's schools (Clarke & Woodhead, 2018)(9% Roman Catholic, 23% Church of England, 1% other faith schools, 67% academies, community or independent schools without a religious character), with 191 primary or infant schools, 239 secondary, and 19 all-through schools . In terms of role, 43% of participants were headteachers or senior leaders, 46% were RE co-ordinators, with other roles making up 11% of participants. It is worth noting that in all of the following analyses, there were no statistically significant differences by region, school religious character or role. Data from the sample was analysed using SPSS software, making use of frequency analysis as well as crosstabs and chi-square analyses.

Results

Frequency analysis found that 71.1% of participants had experienced a request for full withdrawal from RE, 41.3% had experienced a request for selective withdrawal, and 22.4% had experienced a request to withdraw from a National Curriculum subject. Nonetheless, 61.9% reported that no children were currently withdrawn from RE in their school, and

94.3% reported fewer than 4 children currently withdrawn. One noteworthy finding of this initial frequency analysis was that 70.5% of participants believed the right to withdraw from RE is no longer needed.

Beliefs about the continued relevance of the right to withdraw

The first set of analyses explored the relationship between participants' experience of requests to withdraw and their beliefs regarding the continued relevance of the right to withdraw. Chi-square analyses found no significant relationships between belief in the right to withdraw and experience of full withdrawal ($X=2.762$, $p=0.097$) and NC withdrawal requests from NC subjects ($X=3.618$, $p=0.057$). However, experience of selective withdrawal requests was related to an individual's belief regarding the right to withdraw ($X=10.667$, $p=0.001$). The cross-tabulations of these two variables is presented in Table 1.

Table 1: Crosstabulation of beliefs regarding the need for a right to withdraw and experience of a selective withdrawal request.

We can see that while the majority of staff in both groups see the right to withdraw as no longer needed, this view is far stronger among those staff who have experienced a request for selective withdrawal. The reasons behind this relationship are worthy of further study although one possible explanation is that teachers may view parents' attempts at selective withdrawal as revealing a potential for the misuse of the right to withdrawal and thereby intensifying their view that the right is no longer needed.

The second part of the data analysis explored the relationship between participants' beliefs about parents' reasons for withdrawing their child from RE and their belief regarding

the continued need for a right to withdraw. Chi-square analyses found that relationships between belief in the right to withdraw and beliefs about parental reasons for selective withdrawal ($X=0.451$, $p=0.506$) and NC withdrawal ($X=0.738$, $p=0.908$) requests were non-significant. However, beliefs about parental reasons for full withdrawal requests were related to an individual's belief regarding the right to withdraw ($X=21.629$, $p=0.001$). The cross-tabulations of these two variables is presented in Table 2.

Table 2: Crosstabulation of beliefs regarding reasons parents give for their child to be made partially exempt from RE and beliefs regarding the continued need for a right to withdraw.

Across all respondents conservative religious beliefs remain the modal reason ascribed to parental requests for withdrawal from RE, that being said, participants who believed that the right to withdraw remains necessary were more likely to ascribe religious or secular motivations to parents who want to withdraw their child from RE. Conversely, participants who no longer saw a need for a right to withdrawal were more likely to ascribe prejudiced beliefs, or misunderstandings about the aims and purpose of RE to parents seeking such a withdrawal. Although the analysis does not allow us to ascribe causation, this raises the possibility that experiences which professionals interpret as misuse of the right to withdraw are causing them to question the continued relevance of the right to withdraw.

Understanding of the legal right to withdraw

The second series of analyses explored the relationship between participants' experiences of withdrawal requests and their beliefs regarding the laws that govern a student's right to withdraw. Chi-square analyses found significant relationships between experiences and beliefs about the legality of withdrawal from RE ($X=11.655$, $p=0.003$), selective withdrawal

($X=12.691$, $p=0.002$) and NC withdrawal ($X=19.290$, $p=0.001$) requests. Cross-tabulations for all three of these pairings are presented in table 3, and demonstrate a consistent pattern where experience of a withdrawal type is positively associated with believing the request to be legally permitted, and less uncertainty about the legal status. This raises the possibility may imply that participants have educated themselves as to the legal status of such requests as and when they have been received.

Table 3: Crosstabulations of experience of requests for withdrawal and beliefs regarding the legality of that form of withdrawal.

Nonetheless, the level of confusion concerning the legal status of the right to withdraw is troubling, with a sizable minority of participants incorrectly believing there is a requirement for parents to provide their children with an alternative syllabus (27.4%). This misconception may stem from an interpretation of Section 71(3) of the School Standards and Framework Act 1998, given in the non-statutory guidance on Religious Education (Department for Children, Schools and Families, 2010) stating that the law “provides for” parents to make alternative arrangements. Sizeable minorities of participants also believed that parents could opt out of National Curriculum subjects for religious reasons (8.3%) or that this was at the school’s discretion (16.2%). Confusion about the legal settlement may be more pronounced among the overall population of school leaders than in our sample, due to non-response bias (Dillman, Smyth, & Christian, 2008) where individuals are less likely to participate in surveys that may expose their lack of knowledge.

Table 4: Crosstabulations of participants’ responses to each withdrawal condition and beliefs regarding the legality of withdrawal.

Requests to withdraw selectively from part of the RE curriculum

The fifth part of the data analysis involved a frequency analysis which investigated participants evaluation the reasons that parents had given to the participants in the past when requesting full and selective withdrawal from RE. Since this analysis was aimed at their evaluation of actual reasons that parents had provided in the past, only those participants who had experience of parents making such a request were included in these analyses. The results of this analysis are presented in Table 5.

Table 5: Staff beliefs regarding the reasons for parental requests for withdrawal

What this analysis reveals is that irrespective of whether it is a full or partial withdrawal that is being requested, the majority of participants see the parents' reasons for the request as stemming from the parents own religious beliefs. It's interesting to note that only a small number of participants interpreted a withdrawal as being prompted by parental prejudice. The inclusion of an explicit category of "racism or prejudice" was a later addition to the survey design, after a sizeable number of participants used open-text comments to ascribe such motivations. This makes it somewhat unstable as a category of analysis. It is possible that our participants were opting to see parental' reasons as "misunderstandings" rather than "prejudice". The distinction between those two concepts when applied to parental beliefs regarding other religions is another topic worthy of further study. What it suggests is that it is not fear of prejudice that is driving many teachers to want the right to withdraw from RE to be reconsidered so much as a perception of parents misunderstanding RE and its aims and purposes.

Toward the end of our data collection, a question was added (N=83 respondents) to ask which aspects of RE parents had requested their children be withdrawn from in cases of selective withdrawal.

Table 6: Frequency analysis of aspects of RE which were the focus of requests for selective withdrawal:

The preponderance of responses related to withdrawal from learning about Islam goes some way to corroborating the experiences reported to the ATL Union. The fact that it is Islam, far more than any other religion, which is the focus of these parental withdrawal requests is echoed in the open text comments of the survey, for example:

Objections tend to be ad hoc and anti-Islam, relatively rare, and quite easily handled.

One pupil whose parent refuses to allow child to study Islam. Referred to S[enior] L[eadership] T[eam] who did not know how to deal with this...

I wholeheartedly support the right of parents to withdraw where... [secular or] religious teachings [are]... at odds with the personal family faith and belief. I do not support withdrawal based on erroneous 'facts' or media hype such as parents refusing to send their children on an education visit to a mosque, which we have recently had.

The students that have been removed are the ones that need to understand different cultures the most.

Many of these comments highlight the challenges which selective withdrawal poses for RE's contribution to promoting the fundamental British values of mutual respect and tolerance for those of other faiths (Ofsted, 2016). Recognising the role RE teachers often play in addressing the moral, cultural and societal entailments of English schooling (Conroy, Lundie, & Baumfield, 2012) and the fundamental British values in particular (Bryan & Revell, 2011) (Farrell, 2016), the parental right to withdraw, and selective withdrawal in particular, raises important questions regarding the ways schools can address these values without challenging parental objections to learning about religious diversity.¹

¹ One further dimension of parental control requires consideration. Up to this point, it has been assumed that RE in a community school is of a non-directive, non-confessional character, and that parents can exercise a positive choice to opt into more confessional forms of religious instruction if they choose a school with a religious character. A few comments in the open text of the survey, however, highlight a possible conflict, in cases where rural community schools have a church foundation:

"Since academisation... the diocese has begun to exert far more influence over the V[oluntary] C[ontrolled] schools and parents are very unhappy about this. As a result of a

Discussion and Conclusion

This research explored the views of school leaders in England as to the practice, purpose and understanding of the parental right to withdraw from RE; investigating whether, in their view, there is any longer a justification to maintain such a right. The majority of participants were in favour of ending the parental right to withdraw from RE, and this majority became even more pronounced among the significant minority of participants who had experienced parental requests to withdraw selectively. This finding is of note because it offers an insight into one of the reasons why so many teachers see the right to withdrawal from RE as unnecessary. It suggests that selective withdrawal is linked to more teachers wanting to end the right to withdraw because it reveals the corruption of the principles behind this right. If we take the position that the right to withdraw was intended a means to protect the individual from religious interference and thus promote religious tolerance, its use in selective withdrawal could be seen as co-opting or corruption this original intention by those who want to avoid exposure to other religions and thus leave children without the information needed to challenge prejudice.

more 'Christian' and 'religious' focus... this is causing [parents] to ask for children to be withdrawn from collective worship."

"[An increase in requests for withdrawal] has occurred since the recent SIAMS [statutory inspection of Anglican and Methodist schools] inspection... and the more fundamental and direct approaches of the diocese in the school."

The complexities arising from academisation, which may result in parents not having the option to attend a (good) school without a religious character, require further consideration, though this does not have a direct bearing on the discussion of the right to withdraw from non-confessional RE in schools without a religious character.

Cases of parents withdrawing selectively from the teaching of one religion, predominantly Islam, were often presented by participants as representing a hostility and intolerance to those of other faiths. However, while participants who favoured retaining the right to withdraw did so largely on the basis of respecting the rights of conscience of religious minorities, while those who favoured a change in the law pointed to parental misunderstandings as to the aims of RE far more than prejudice as the motivation. As such, it is difficult to completely align our results with the fears raised in the ATL conference about requests for withdrawal increasingly fuelled by prejudice. While it was true that Islam's prominence as a target for withdrawal implies prejudice, our findings suggest that teachers saw the reasons for this withdrawal as misunderstanding more than prejudice. If this misunderstanding relates merely to an objection to including curriculum content, it is hard to understand how it relates to parents' rights of conscience. If, however, it relates to a concern that RE misrepresents other religions (perhaps by presenting them as benign), this raises more complex questions about the conflict between parental beliefs and values of tolerance required for life in modern Britain. Given that religions may have their own views about other religions, and that strong beliefs regarding exclusive salvific or ontological claims are not the same as racism or prejudice (Moulin-Stozek 2018), making any distinction in law between 'legitimate' and misapplied uses of the conscience clause seems impossible, and clarity on the non-directive purpose of contemporary RE is key to any change which would alter the legal settlement.

We found that misunderstandings as to the legal arrangements for managing withdrawal contribute to the differential handling of requests, including confusion about parental rights to withdraw from National Curriculum subjects on grounds of conscience. Our focus on the validity of the right to withdraw from RE we can easily overlook the relevance

wider context in which this discussion takes place. Specifically, we may need to consider the unique position of RE in the curriculum and its potential relevance to the emergence of values education, both of which may have an impact on any changes we consider making to the right to withdraw. The current settlement, involving parental right of withdrawal from RE but no other aspect of the curriculum on grounds of conscience raises important questions about the wider contribution of RE to the life of the school. Drawing on the justifications and purposes claimed by the subject in contemporary policy documents (Commission on Religious Education, 2018) (RE Council, 2013), aside from the academic contribution of RE to a broad and balanced curriculum, extensive claims are made regarding RE's contribution to the spiritual, moral, social and cultural development of young people, an aspect inescapably bound up with the fundamental British values of mutual respect and tolerance for those of different faiths (Bamber P. , Bullivant, Clark, & Lundie, 2018).

Returning to Barnes' and Felderhof's concerns over the directive nature of multi-faith RE, while rejecting their strong ontological and epistemic claims as to the contemporary practice of the subject, it is legitimate to highlight that RE does make a weaker, civic claim to directive education for tolerance. This weaker, civic claim avoids any controversial claims about the existence of God or the nature of religious knowledge, and is compatible with a non-relativist reading of religious difference (Modood 2010). Indeed it is precisely in its willingness to engage seriously with contested and controversial epistemic claims that RE best prepares young people for an authentic tolerance and respect (Lundie & Conroy, 2015: O'Grady 2013). The dominance of conservative religious viewpoints as a reason for parental withdrawal from RE can be seen to confirm Barnes' view that RE is at least perceived to make directive, liberal claims; nonetheless, the preponderance of teachers and school leaders

in favour of legislative change would suggest they see such a claim as more apparent than real.

Accepting the claim for RE's continued relevance on its purported contribution to this civic aim, is there any longer a legitimacy for a parental right to withdraw? A parental right to withdraw from the directive teaching of the value of mutual respect and tolerance would not apply exclusively to RE, and the current legal settlement in the UK makes it clear that no such right to withdraw from the fundamental British values, or the wider spiritual, moral, social and cultural life of the school exists. While an argument could coherently be put that, when the right to withdraw was codified in 1944, Christian religious instruction was the only, or the principal, means by which schools delivered civic or values education, and it remains logically consistent to argue for a parental right to withdraw children from the directive teaching of fundamental British values, or wider spiritual, moral, social and cultural aims, such a right would be highly controversial. There is insufficient scope in this paper to explore the controversial nature of current values agendas in schools, the challenges of offering a broad and balanced curriculum abstracted from the values of the school in which they are taught, or the legitimacy of political and societal demands on schools as institutions. Regardless of whether such a parental right of withdrawal from the civic values of public education might exist, in law or in theory, there remains no logically coherent argument for why it should exist exceptionally only in regard to contemporary RE in England.

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